

1AP7 Rec'd PCT/PTO 07 APR 2006

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MAIL CERTIFICATION



I hereby certify that this correspondence is being deposited with the United States Postal Services with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 31, 2004.

NORRIS, McLAUGHLIN & MARCUS, P.A.

By Agata Glinzka  
Agata Glinzka

Date April 4, 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Atty's Docket No.: 102530-7

EXAMINER : To be assigned

GROUP ART UNIT To be assigned

APPLICANT : Gerd Wallukat

APPLN. NUMBER: 10/536,552

FILED : May 26, 2005

FOR : Identification of Agonistic Autoantibodies

**SUBMISSION OF "SEQUENCE LISTING," PAPER AND COMPUTER READABLE  
FORM IN RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 4, 2006

Sir:

1. This is in response to the Notification of Defective Response mailed March 7, 2006, a copy of which is enclosed.

MAILED  
APR 10 2006

## IDENTIFICATION OF DECLARANT

2. I, Mark D. Marin, state the following:

## ITEMS BEING SUBMITTED

3. Submitted herewith is/are


- a) "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application. Each "Sequence Listing" is assigned a separate identifier as required in 37 CFR 1.821(c) and 37 CFR 1.822 and 1.823.
- b) A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 CFR 1.821(e) and 1.824.
- c) A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 CFR 1.821(g).
- d) Because this submission is made in fulfilling the requirement under 37 CFR 1.821(g), a statement that the submission includes no new matter.

## STATEMENT THAT "SEQUENCE LISTING" AND COMPUTER READABLE COPY ARE THE SAME AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER

4. Attached is a computer diskette containing a computer readable form of the paper Sequence Listing embedded in the specification. The undersigned hereby certifies that the paper Sequence Listing does not introduce new matter, and that the content of the paper Sequence

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A.

By   
Mark D. Marin  
Reg. No. 50,842  
Attorney for Applicant

MDM/ag



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

102530-7

U.S. APPLICATION NUMBER NO. 10/536,552	FIRST NAMED APPLICANT Gerd Wallukat	ATTY. DOCKET NO. 101215-185 BSL
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INTERNATIONAL APPLICATION NO. PCT/DE03/03988
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I.A. FILING DATE 11/28/2003	PRIORITY DATE 11/29/2002
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27387  
 NORRIS, MCLAUGHLIN & MARCUS, P.A.  
 875 THIRD AVE  
 18TH FLOOR  
 NEW YORK, NY 10022

CONFIRMATION NO. 7096

371 FORMALITIES LETTER



\*OC000000018208115\*

Date Mailed: 03/07/2006

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 05/26/2005
- English Translation of the IA filed on 01/26/2006
- Copy of the International Search Report filed on 05/26/2005
- Copy of IPE Report filed on 05/26/2005
- Copy of Annexes to the IPER filed on 05/26/2005
- Preliminary Amendments filed on 01/26/2006
- Oath or Declaration filed on 01/26/2006
- Request for Immediate Examination filed on 05/26/2005
- U.S. Basic National Fees filed on 05/26/2005
- Priority Documents filed on 05/26/2005
- Power of Attorney filed on 01/26/2006

RECEIVED

MAR 10 2006

NORRIS, MCLAUGHLIN &amp; MARCUS, PA

Applicant's response filed 01/26/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 12/02/2005 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where

applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Additionally the following defects have been observed:

- The translations of Annexes are canceled since the translations were not submitted prior to 30 months from the priority date.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/536,552	PCT/DE03/03988	101215-185